

Submitted January 23, 2013  
Approved as of  
Date January 23, 2013

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION  
MEETING NO. 01-2013  
Wednesday, January 9, 2013**

The City of Rockville Planning Commission convened in regular session in the Mayor and Council Chambers at 7:00 p.m., Wednesday, January 9, 2013.

**PRESENT**

Jerry Callistein, Chair

Don Hadley	David Hill
Jack Leiderman	Kate Ostell
John Tyner	Dion Trahan

**Absent:** None

**Present:** Andrew Gunning, Assistant Director, CPDS  
Marcy Waxman, Assistant City Attorney  
Jim Wasilak, Chief of Planning  
Bobby Ray, Principal Planner  
Cas Chasten, Planner III  
Craig Simoneau, Director of Public Works  
Rebecca Torma, Transportation Planner

**I. REVIEW AND ACTION**

- A. Preliminary Subdivision Plan, PLT2013-00522** to create two (2) new lots from an existing single recorded lot, located at 275 N. Washington Street. The applicant proposes to redevelop a portion of the 3.14 acre site with a mixed use development containing commercial retail and office uses.

Cas Chasten presented his staff report and answered questions from the Commission.

Sam Stiebel with JBG, the applicant, is the Development Manager for Hungerford Retail II. He provided a short description of the proposed development to the Commission and introduced JBG's Land Use Counsel, Erica Latham, of Ballard Spahr.

Ms. Latham, briefed the Commission on the proposed mixed-use re-development concept and Preliminary Subdivision Plat, and answered questions from the Commission regarding

APFS (trip generation), the Dawson Avenue expansion, the right-of-way easements between Hungerford Drive and N. Washington Street, and the building elevation.

The following offered public testimony:

Peter Wetzler of 310 Croydon Avenue, spoke against the development stating the property is being developed in a “piece meal” manner and lacks direction. He doesn’t believe it will fit aesthetically within Town Center.

Leonard Murphy, a representative of 401 N. Washington Street, spoke against the development and expressed his concern about the widening of Dawson Avenue. He also stated that the future development of lot 25 poses a problem with the connection access from N. Washington St. and Route 355, as well as eliminating necessary parking at the south end of his building.

Paul Mugge, owner of Tiger Beer and Wine on 401 N. Washington Street, expressed the same concern about future parking, asking for clarification about how much of the current parking on the JBG property will be eliminated once construction begins. He feels that there will not be ample parking for his customers. He also expressed concern about JBG’s aggressive towing of cars that park on their lot, many of which are his customers.

Mr. Stiebel of JBG addressed the towing currently taking place on the lot, stating that due to liability issues, JBG is towing on their vacant lot to keep it clear. He also clarified JBG’s property line and the configuration of the property, showing that the parking in front of those retail businesses at 401 N. Washington is on JBG’s property.

Ms. Latham provided the Commission a calculation of green space on Lot 24 of 10,000 sq.ft. She also addressed JBG’s noticing and the lack of response from the public.

Commissioner Ostell asked the applicant if they would be willing to condition this item so that they would continue to work with the City and Civic Associations to make attractive use of Lot 25 (the undeveloped lot).

Ms. Latham said they will demo the entire building but not the slab, and would be willing to commit to finding an attractive use for the undeveloped portion of the property until the site is redeveloped in its entirety.

Commissioner Trahan moved, seconded by Commissioner Ostell, to approve Preliminary Subdivision Plan PLT2013-00522 and all recommendations and findings as provided in the Staff Report. The motion passed 6-1 (Commissioner Hill voted no).

- B. Final Record Plat, PLT2013-00524** to create two (2) new lots from an existing single recorded lot, located at 275 N. Washington Street. The proposed final record plat is submitted in accordance with PLT2013-00522, i.e., creating Lot 24, 30,956 sq.ft. in size, and Lot 25, 93,717 sq.ft. in size.

Cas Chasten presented his Staff Report.

Ms. Latham, representing the applicant and Mr. Stiebel, the applicant, came forth to answer additional questions from the Commission.

Ms. Latham stated that the Record Plat is consistent with the Preliminary Plan and the applicant is in agreement with all conditions of the approval except condition #6. She stated the condition makes it hard to commit to the demolition of the site prior to having all approvals in place to build the new building.

Commissioner Ostell moved, seconded by Commissioner Leiderman, to approve Record Plat PLT2013-000522, with the recommended conditions as stated in the staff report. Mr. Chasten suggested the Commission modify the motion regarding condition #6 with the following: "prior to recordation of the Record Plat, applicant must fully demolish the building to the slab." The Commission accepted the modified language. The motion passed 6-0-1 (Commissioner Hill abstained).

## **II. COMMISSION ITEMS**

- A. Adopt Revisions to Rules of Procedure  
Commissioner Hill moved, seconded by Commissioner Leiderman, to defer action on the Rules of Procedure until staff provides a new draft for additional input. The motion passed unanimously 7-0.
- B. Commission Work Plan for 2013 – Mr. Gunning provided a draft of the Commission's Work Plan in 2013.
- C. Staff Liaison Report
- D. Old Business – Commissioner Hill moved, seconded by Commissioner Hadley, to let the Chair decide how and when to use the opening meeting statement as needed. The motion passed 6-1 (Commissioner Trahan voted no).
- E. New Business
- F. Minutes
  - 1. Commissioner Hadley moved, seconded by Commissioner Leiderman, to approve the November 14, 2012 minutes from Meeting 24-12. The motion passed 6-1 (Commissioner Ostell abstained).
  - 2. Commissioner Leiderman moved, seconded by Commissioner Tyner, to approve the December 12, 2012 minutes from Meeting 25-12. The motion passed unanimously, a 7-0.
- G. FYI Correspondence

## **III. ADJOURN**

Commissioner Tyner moved, seconded by Commissioner Trahan to adjourn the meeting at 9:47 p.m.

Respectfully Submitted,

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Sandra Y. Driver, Commission Secretary